

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 04-10294-GAO
)
DWIGHT COLE)

MOTION TO CONTINUE HEARING

Defendant Dwight Cole, by his counsel, respectfully moves to continue the Rule 11 proceeding in this matter, now scheduled for July 20, 2005. Mr. Cole continues to undergo in-patient rehabilitation at the Hancock Manor Nursing Home, 133 Hancock Street, Dorchester, MA, 617-265-5220, in an effort to regain use of his left foot. At this time, it is uncertain what his release date may be.

The parties suggest a continued date in late September.

Defendant moves to exclude the time to the next hearing in the interest of justice.

The government has no objection to this motion.

DWIGHT COLE
By his attorney,

/s/ Charles P. McGinty
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July 20, 2005